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on January 10, 2002

LAW OFFICES OF JONATHAN ALAN QUINE

By: 

Chiant Appling

Atty Docket No: 407T-895200US

Client Ref: 99-219-1

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**JOHN CLARK LAGARIAS**

Application No.: 09/272,809

Filed: 03/19/1999

For: **PHYTOFLUORS AS FLUORESCENT  
LABELS.**



Examiner: J. Hines

Art Unit: 1645

**AMENDMENT**

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Jm  
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Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated July 11, 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

The following documents are enclosed herewith:

- 1) A petition to extend the period of response for **three** months; and
- 2) An Information Disclosure Statement (PTO Form 1449).

Please amend the specification and claims as follows

**In the Specification.**

Please delete the paragraph at page 17, line 26 through page 18, line 9 and insert the following:

--Nucleic acids encoding apoprotein polypeptides can be isolated from a number of organisms according to standard techniques. Exemplary genes are those isolated from higher plants (e.g., AsphyA and AtphyA), and the green alga *Mesotaenium caldariorum* (i.e. Mcphy1b). In addition, genes encoding apophytochrome can be obtained from cyanobacteria. It was a discovery of this invention that the cyanobacteria *Synechocystis* sp. produces an apophytochrome. In particular, the open reading frame listed in GenBank D64001, locus 1001165 and designated herein as S6803phy1 was determined to be an apophytochrome by sequence alignment methods. Having identified herein

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